

## Message Text

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62

ORIGIN IO-13

INFO OCT-01 ARA-06 EUR-12 EA-07 NEA-10 SS-15 ISO-00 SCCT-01

L-03 DHA-02 SSO-00 CCO-00 NSCE-00 NSC-05 AF-08 USIE-00

INRE-00 CIAE-00 DODE-00 PM-04 H-02 INR-07 NSAE-00

PA-01 PRS-01 SP-02 OMB-01 ACDA-07 AID-05 SAM-01 /114 R

DRAFTED BY IO/HR:FJCRAWFORD:BKM

APPROVED BY P:PCHABIB

C:HSOHNENFELDT

IO:JABAKER

S/CCT:DHECK

L/UNA:RSTOWE

EUR/CE:KKURZE

L/SFP:LFIELDS

EUR/RPE:WSALISBURY

NEA/RA:DMORAN

AE/RA:LMCNUTT

ARA-LA/NC:FDEVINE

ARA/MEX:GFALK

S/S-PSBRIDGES

D/HA:RPALMER

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P 071730Z AUG 76

FM SECSTATE WASHDC

TO AMEMBASSY BONN PRIORITY

INFO USDEL SECRETARY PRIORITY

AMEMBASSY ANKARA

AMEMBASSY ATHENS

AMEMBASSY BANGKOK

AMEMBASSY BERN

AMEMBASSY BOGOTA

AMEMBASSY BRUSSELS

AMEMBASSY CANBERRA

AMEMBASSY CARACAS

AMEMBASSY COPENHAGEN

AMEMBASSY DUBLIN

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USMISSION EC BRUSSELS

USMISSION GENEVA  
AMEMBASSY HELSINKI  
AMEMBASSY LISBON  
AMEMBASSY LONDON  
AMEMBASSY LUXEMBOURG  
AMEMBASSY KUALA LUMPUR  
AMEMBASSY MADRID  
AMEMBASSY MEXICO  
AMEMBASSY MOSCOW  
USMISSION NATO  
AMEMBASSY OSLO  
AMEMBASSY OTTAWA  
AMEMBASSY PANAMA  
AMEMBASSY PARIS  
AMEMBASSY REYKJAVIK  
AMEMBASSY ROME  
AMEMBASSY SINGAPORE  
AMEMBASSY STOCKHOLM  
AMCONSUL STRASBOURG  
AMEMBASSY TEL AVIV  
AMEMBASSY THE HAGUE  
AMEMBASSY TOKYO  
USMISSION USUN NEW YORK  
AMEMBASSY VIENNA  
AMEMBASSY WELLINGTON

C O N F I D E N T I A L STATE 196812 TOSEC 200164

SECRETARY ZFF5 ONLY

E.O. 11652: GDS

TAGS: PFOR, UNGA, SHUM, GW

SUBJECT: FRG PROPOSALS ON INTERNATIONAL TERRORISM AND  
HUMAN RIGHTS

REF: STATE 192664 (NOTAL)

1. THE USG IS DEEPLY CONCERNED OVER THE CONTINUING  
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COMMISSION OF VIOLENT ACTS OF TERRORISM. THE HIJACKING OF  
AN AIR FRANCE PLANE TO ENTEBBE, WHICH RESULTED IN THE  
ISRAELI RESCUE OPERATION, AND THE MURDERS OF THE AMERICAN  
AMBASSADOR IN BEIRUT AND THE BRITISH AMBASSADOR IN DUBLIN  
ARE ONLY THE MOST RECENT SUCH ACTS. THE KIDNAPPING OF THE  
OPEC OIL MINISTERS IN VIENNA LAST DECEMBER AND THE MURDERS  
OF THE TURKISH AMBASSADORS IN PARIS AND VIENNA ARE OTHER  
RECENT EXAMPLES OF ACTS THAT IMPEL A SIZEABLE PART OF THE

INTERNATIONAL COMMUNITY TO WORK FOR EFFECTIVE MEANS TO COMBAT SUCH WANTON CRIMES.

2. AT THE SECURITY COUNCIL DEBATE ON THE ENTEBBE INCIDENT THE FRG REPRESENTATIVE ON JULY 12 CALLED FOR THE NEXT UNGA TO GIVE PRIORITY CONSIDERATION TO THE ISSUE OF TERRORISM, FOCUSING ATTENTION ON A POSSIBLE CONVENTION TO PROTECT HOSTAGES FROM BEING HELD FOR POLITICAL PURPOSES BY PROVIDING FOR EXTRADITION OR PROSECUTION. THE U.S.

REPRESENTATIVE APPLAUDED THE GERMAN STATEMENT AND SAID THAT THE USG WILL STRONGLY SUPPORT SUCH EFFORTS AND WILL WORK CLOSELY WITH THE FRG AND OTHERS TO SUPPORT SUCH A CONVENTION TO THIS END. THE U.S. REPRESENTATIVE ALSO NOTED WITH APPROVAL STATEMENT OF THE SOVIET REPRESENTATIVE IN THE SECURITY COUNCIL, WHO SAID "WE ARE READY, ALONG WITH OTHER STATES, TO TAKE NEW ADDITIONAL MEASURES AGAINST ACTS OF INTERNATIONAL TERRORISM." ON JULY 10 THE SECRETARY SAID, "WE BELIEVE THAT THE ISSUE OF TERRORISM IS ONE THAT THE INTERNATIONAL COMMUNITY MUST ADDRESS. IT IS INTOLERABLE THAT INNOCENT PEOPLE ARE BEING USED AS HOSTAGES FOR THE POLITICAL AIMS OF PARTICULAR GROUPS."

3. THE GERMAN PROPOSAL, ALONG WITH OTHER GENERAL EXPRESSIONS OF INTEREST IN DEALING WITH THE TERRORIST PROBLEM MADE IN THE SECURITY COUNCIL AND ELSEWHERE IS OF SPECIAL INTEREST TO THE UNITED STATES. SINCE 1972, WHEN WE PROPOSED A CONVENTION ON INTERNATIONAL TERRORISM TO THE GENERAL ASSEMBLY, THE U.S. HAS CONSISTENTLY URGED INTERNATIONAL ACTION TO DEAL WITH THE PROBLEM.

4. THE U.S. APPROACH TO A NEW EFFORT IS NECESSARILY CONDITIONED BY OUR EXPERIENCE IN 1972, WHEN THE GENERAL

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ASSEMBLY FAILED TO ACT ON OUR PROPOSED CONVENTION, AND OUR SUBSEQUENT PARTICIPATION IN A FRUITLESS NEGOTIATING SESSION OF A UN AD HOC COMMITTEE ON INTERNATIONAL TERRORISM IN THE SUMMER OF 1973.

5. WHILE WE DO NOT WANT TO UNLEASH AN UNPRODUCTIVE AND POLITICALLY-CHARGED DEBATE IN THE GENERAL ASSEMBLY OVER THE DEFINITION OF TERRORISM (I.E., WHETHER TERRORISM PER SE IS A CRIMINAL ACT OR WHETHER THERE ARE SOME ACTS IN PURSUANCE OF NATIONAL LIBERATION MOVEMENTS THAT ARE LEGITIMATE) WE STRONGLY BELIEVE THAT THE TIME IS PROPITIOUS TO MAKE A NEW EFFORT IN THE GENERAL ASSEMBLY TO EXPLOIT THE EXPANDED INTERNATIONAL INTEREST IN THE PROBLEM AND TO PUSH FOR EFFECTIVE INTERNATIONAL ACTION.

6. THE GERMAN INITIATIVE,(WHICH THE FRG DISCUSSED WITH THE DEPT ALONG WITH A PROPOSAL FOR A HUMAN RIGHTS COURT (REPORTED REFTEL)), THOUGH NOT YET FLESHED OUT IN TERMS OF A SPECIFIC DRAFT, STRIKES US AS PARTICULARLY TIMELY. IF IT IS LIMITED IN SCOPE, WE BELIEVE THAT IT HAS A REASONABLE CHANCE TO BE DEBATED IN A NON-POLEMICAL WAY AND COULD PERHAPS BE THE GENESIS OF AN EFFECTIVE STEP OF THE KIND WE ARE SEEKING.

7. THE USG AT THE COMING UNGA PLANS TO REITERATE ITS STRONG OPPOSITION TO TERRORISM AND TO CALL FOR IMMEDIATE

INTERNATIONAL ACTION. TACTICALLY WE BELIEVE THAT OUR CHANCE OF SUCCESS WOULD BE GREATLY IMPROVED IF WE COULD GET BEHIND A SPECIFIC PROPOSAL LIKE THE GERMAN ONE RATHER THAN INTRODUCE A PROPOSAL OF OUR OWN, WHICH WOULD BE MORE LIKELY TO PROVOKE THE IMMEDIATE INJECTION OF THE ARAB-ISRAELI QUESTION INTO THE DEBATE.

8. IN LIGHT OF ABOVE EMBASSY BONN SHOULD APPROACH THE FRG AT AN APPROPRIATE LEVEL, MAKING THE FOLLOWING POINTS (POINTS A TO E RELATE TO TERRORISM ISSUE AND POINT F RELATES TO HUMAN RIGHTS COURT PROPOSAL); DEPT WILL DO LIKEWISE WITH GERMAN EMBASSY HERE:

(A) WE ARE DEEPLY INTERESTED IN FRG PROPOSAL MADE IN  
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SECURITY COUNCIL THAT UNGA UNDERTAKE CONSIDERATION OF A CONVENTION TO PROTECT HOSTAGES TAKEN FOR POLITICAL PURPOSES AND ARE PREPARED, CONTINGENT ON EXAMINATION OF TEXTS OF FRG PROPOSAL, TO GIVE FRG FULL SUPPORT, BOTH IN PRELIMINARY CONSULTATIONS WITH LIKE-MINDED COUNTRIES, AND IN THE GA. THE PRESENTATION MADE BY THE FRG CHARGE TO UNDER SECRETARY HABIB WAS A MOST USEFUL STEP IN SETTING UP A DIALOGUE ON THIS SUBJECT (SEE REFTEL).

(B) WE BELIEVE FACT THAT GERMAN PROPOSAL IS PRESUMABLY LIMITED TO PROSECUTION OR EXTRADITION IN CONNECTION WITH TAKING OF HOSTAGES IS A PLUS FACTOR SINCE THIS AT LEAST SUGGESTS POSSIBILITY OF AVOIDING GENERAL UNPRODUCTIVE DEBATE ON NATURE AND DEFINITION OF TERRORISM.

(C) PROPOSAL OFFERS OPPORTUNITY TO EXPAND PROTECTION OF HOSTAGES BEYOND THE PROTECTION PROVIDED IN THE 1970 HAGUE CONVENTION, WHICH COVERS ONLY AIRCRAFT HIJACKING SITUATIONS AND POSSIBLY TO ENCOURAGE ADDITIONAL ADHERENTS TO THE HAGUE CONVENTION AS WELL AS TO THE NEW PROPOSAL.

(D) AS HABIB SAID, DETAILED COMMENT MUST AWAIT SPECIFIC TEXT, BUT WE ARE NEVERTHELESS ANXIOUS TO HEAR FURTHER DETAILS OF THE FRG'S THINKING AS SOON AS POSSIBLE, AS WELL AS TO HAVE BENEFIT OF FRG THINKING ON TACTICS, INCLUDING CONSULTATIONS TO BE UNDERTAKEN BEFORE GA.

(E) WE ARE FOLLOWING CLOSELY ACTIVITIES AND ATTITUDES OF COUNCIL OF EUROPE TOWARDS TERRORISM, AS EXPRESSED IN ITS STATEMENT OF JULY 12-13 (USEC 6908) AND WOULD WELCOME ANY FURTHER FRG THOUGHTS ON AMOUNT AND KIND OF EC SUPPORT WHICH MIGHT BE EXPECTED AT GA.

(F) BECAUSE OF OUR LONG-TERM INTEREST IN STRENGTHENING THE UN HUMAN RIGHTS MACHINERY, WE WERE ALSO INTERESTED IN THE PROPOSAL FOR A HUMAN RIGHTS COURT DESCRIBED IN REFTEL. WE UNDERSTAND FROM THE FRG EMBASSY IN WASHINGTON THAT, THOUGH THE IDEA WILL BE BROACHED AT THIS YEAR'S GA, THE GERMANS ARE THINKING IN TERMS OF A FORMAL PROPOSAL AT THE 32ND GA. WE WILL BE PLEASED TO CONSULT  
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WITH THEM WHENEVER THEY ARE READY.

9. INFO ADDRESSEE POSTS ARE INVITED TO COMMENT ON THEIR GOVERNMENTS' ATTITUDES, WHETHER PUBLIC OR PRIVATE, ON TERRORISM ISSUES IN GENERAL AND GERMAN PROPOSAL IN PARTICULAR, BUT NOT AT THIS TIME ON GERMAN HUMAN RIGHTS PROPOSAL MENTIONED IN PARA 8(F) ABOVE. DEPT INVITES ADDRESSEES' SUGGESTIONS AS HOW HOST GOVERNMENT INTEREST, IF IT DOES EXIST, CAN BEST BE MOBILIZED AND UTILIZED IN A SEARCH FOR MEASURES IN THE GA TO COPE WITH THE TERRORIST THREAT THAT IS A HAZARD TO ALL NATIONS. HOWEVER, WE DO NOT DESIRE THAT APPROACHES BE MADE AT THIS TIME, OTHER THAN IN BONN, AS WE DO NOT WISH TO APPEAR TO BE GETTING OUT IN FRONT OF THE GERMAN INITIATIVE. INFO ADDRESSEES MAY, AT THEIR DISCRETION, CHECK WITH FRG COLLEAGUES ABOUT APPROACHES THEY HAVE MADE AND RESPONSES RECEIVED BEFORE MAKING THEIR ASSESSMENTS AND SUGGESTIONS.

10. REPLY SINGLY, INFO USUN, PREFERABLY BY AUGUST 20.  
HABIB

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NNN



## Message Attributes

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